

CLEARY GOTTlieb STEEN & HAMILTON LLP

One Liberty Plaza
New York, NY 10006-1470
T: +1 212 225 2000
F: +1 212 225 3999

clearygottlieb.com

WASHINGTON, D.C. • PARIS • BRUSSELS • LONDON • MOSCOW
FRANKFURT • COLOGNE • ROME • MILAN • HONG KONG
BEIJING • BUENOS AIRES • SÃO PAULO • ABU DHABI • SEOUL

D: +1 212-225-2690
jkolodner@cgsh.com

VICTOR I. LEWKOW	ETHAN A. KLINGSBERG	ARI D. MACKINNON
LESLIE N. SILVERMAN	MICHAEL D. DAYAN	JAMES E. LANGSTON
LEE C. BUCHHEIT	CARMINE D. BOCCUZZI, JR.	JARED GERBER
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CRAIG B. BROD	LISA M. SCHWEITZER	S. DOUGLAS BORISKY
EDWARD J. ROSEN	JUAN G. GIRALDEZ	JUDITH KASSEL
LAWRENCE B. FRIEDMAN	DUANE MC LAUGHLIN	DAVID E. WEBB
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LEV L. DASSIN	PAUL M. TIGER	KENNETH S. BLAZEJEWSKI
NEIL Q. WHORISKEY	JONATHAN S. KOLODNER	RESIDENT COUNSEL
JORGE U. JUANTORENA	DANIEL ILAN	
MICHAEL D. WEINBERGER	MEYER H. FEDIDA	LOUISE M. PARENT
DAVID LEINWAND	ADRIAN R. LEPSIC	OF COUNSEL
DIANA L. WOLLMAN	ELIZABETH VICENS	
JEFFREY A. ROSENTHAL	ADAM J. BRENNEMAN	

December 21, 2017

VIA EMAIL

The Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Batalla Vidal, et al. v. Nielsen, et al., No. 1:16-cv-04756-NGG-JO and
State of New York et al. v. Donald Trump et al. (17-cv-5228)

Dear Judge Garaufis:

I serve as counsel to community and legal services organizations (referred to herein generally as “public interest organizations” or “PIOs”).¹ With the consent of all of the parties in the above-referenced matters, co-counsel The Legal Aid Society² and I respectfully request the court’s leave to file an *amici curiae* brief in the above-referenced matters.³

The proposed *amici* are PIOs that provide immigration legal services nationwide. They have a long history of working with young, undocumented immigrants to seek relief from removal, including significant and direct access to intended beneficiaries of Deferred Action for Childhood Arrivals (DACA), known as Dreamers. Accordingly, PIOs are at the forefront of providing services to Dreamers following the arbitrary and abrupt termination of DACA and its aftermath.

¹ The proposed *amici* include The Legal Aid Society, African Services Committee, Immigrant Justice Corps, MinKwon Center for Community Action, South Bronx United, UnLocal and The Door, with additional proposed *amici* to be finalized by tomorrow.

² For the avoidance of doubt, The Legal Aid Society is both co-counsel *pro se* and a proposed *amici*.

³ The proposed *amici* respectfully submit this letter pursuant to Section II.A of the Individual Rules of Judge Nicholas G. Garaufis.

Judge Garaufis, p. 2

The purpose of the proposed *amici curiae* brief is to illustrate to the court the unique harms suffered by PIOs as a result of the abrupt and arbitrary termination of DACA, including, *inter alia*, their inability to provide any meaningful support to the vast majority of Dreamers, who are otherwise ineligible for other forms of immigration relief, and their struggles to cope with the demands caused by the termination of DACA and one-month renewal period for eligible candidates whose DACA status would expire by March 5, 2018. The proposed *amici curiae* brief also highlights the harms caused by the rescission of DACA to the clients of PIOs, including, *inter alia*, the loss of meaningful employment and educational opportunities, healthcare coverage and security in the only country they know as home.

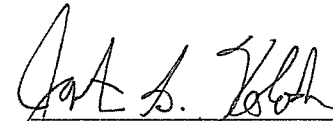
The proposed *amici* note that a separate group of nonprofit organizations that provides legal services also intends to request this court's permission to file an *amici curiae* brief in the above-referenced proceedings. That brief focuses on separate harms to the clients and communities served by PIOs, and informs this court about the lack of immigration relief available to the vast majority of DACA recipients and the harms to former DACA recipients, immigrant communities, the public health and community safety arising from the termination of DACA. Both sets of proposed *amici* PIOs believe that each brief offers unique and complementary assistance to this court in support of Plaintiffs' motion for injunctive relief.

Your Honor has already recognized that the above-referenced matter, *Batalla Vidal, et al. v. Nielsen, et al.*, is "a case of such global significance," and, as such, would benefit from the filing of *amici curiae* briefs. Tr. Civil Cause Pre-Mot. Conference, 19:18-20, Nov. 16, 2017. Allowing for such briefs is also well within this court's broad discretion. *See Andersen v. Leavitt*, No. 03-cv-6115 (DRH)(ARL), 2007 WL 2343672, at *2 (E.D.N.Y. Aug. 13, 2007) ("A district court has broad discretion to grant or deny an appearance as amicus curiae in a given case") (citations omitted).

Judge Garaufis, p. 3

For the foregoing reasons, proposed *amici* respectfully request permission to file an *amici curiae* brief on or before December 22, 2017.

Respectfully submitted,



Jonathan S. Kolodner
(jkolodner@cgsh.com)

Erica Klipper

Rikki Stern (Of Counsel)

Jessa DeGroote (Of Counsel)

CLEARY GOTTlieb STEEN & HAMILTON LLP

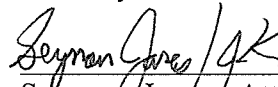
One Liberty Plaza

New York, New York 10006

T: 212-225-2000

F: 212-225-3999

Attorneys for *Amici Curiae*



Seymour James, Attorney-in-Chief

Adriene Holder, Attorney-in-Charge, Civil Practice (Of Counsel)

Hasan Shafiqullah, Attorney-in Charge, Immigration Law Unit

Leena Khandawala, Supervising Attorney, Immigration Law Unit (Of Counsel)

Judith Goldiner, Attorney-in-Charge, Law Reform Unit

Jennifer Levy, Supervising Attorney, Law Reform Unit (Of Counsel)

Susan Welber, Staff Attorney, Law Reform Unit (Of Counsel)

THE LEGAL AID SOCIETY

199 Water Street

New York, New York 10038

T: 212-577-3300

In Pro Se as Amici Curiae

cc: All Counsel of Record (VIA ECF)